



# INDUSTRY CIRCULAR

DEPARTMENT OF  
THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

Washington, D.C. 20226

Number: 80-14

Date: December 26, 1980

## APPROVAL AND MOVEMENT OF MOBILE MAGAZINES

Explosives Licensees, Permittees, and Others Concerned:

Purpose. The purpose of this circular is to inform interested persons of a ruling and a procedure which will be published in the ATF Bulletin (1) stating that previously approved mobile magazines may be moved and acquired without additional approval, and (2) prescribing a procedure for obtaining one-time approval of mobile explosives magazines. The ruling and procedure will read substantially as follows:

### ATF Ruling

Section 181.54(b) of Title 27, CFR provides that a licensee or permittee who intends to change the location of an approved storage magazine must obtain approval from ATF prior to doing so. However, the regulation excepts portable magazines from this requirement. Section 181.54(c) provides that a licensee or permittee who intends to make additions to approved storage facilities must obtain an amended license or permit prior to making such additions. The intent of this section was to insure that only magazines which meet storage standards as specified in the regulations will be used by licensees and permittees for storage of explosives.

Held: The Bureau has determined that the exception regarding portable magazines in Section 181.54(b) includes mobile magazines. Therefore, a licensee or permittee will not be required to obtain ATF approval in order to move the location of a previously approved mobile magazine; provided, that the mobile magazine is approved and permanently marked in accordance with procedures implemented as a result of this Ruling. Letterhead requests for approval of mobile magazines will be submitted to the regional regulatory administrator of the region in which magazines are located.

It is further held that a licensee or permittee acquiring additional magazines by purchasing, leasing, or borrowing

magazines which have been previously approved by ATF need not obtain additional approval before using such magazines for the storage of explosive materials.

### ATF Procedure

#### SECTION 1. PURPOSE.

This procedure provides for relocating approved mobile explosives magazines without having to obtain additional, prior ATF approval.

#### SECTION 2. BACKGROUND.

.01 ATF has recognized the use of types 2, 3, 4, and 5 mobile explosives magazines in transporting explosives to job sites, and the frequent movement of these same magazines among explosives licensees, permittees and users.

.02 Approved and permanently marked mobile magazines do not have to be reapproved prior to each change in location.

.03 Explosives storage construction requirements appear in Subpart J of Part 181 of Title 27, Code of Federal Regulations. The instructions concerning approval and permanent markings are detailed in the following sections of this procedure.

#### SECTION 3. REQUIREMENTS FOR APPROVAL.

.01 Markings. Each mobile magazine must be permanently marked in a conspicuous manner on the interior, preferably on the inside of the door. The markings must state:

- a. Name of the owner;

- b. Address (City and State) of the owner;
- c. Identification number: one selected by the owner and not duplicated either on or in any other magazine belonging to the owner.

.02 Application for Approval. The owner or possessor shall submit a letter requesting inspection and approval of the mobile magazine to the regional regulatory administrator of the ATF region in which the magazine is physically located. The letter must include:

- a. All information to be contained in the markings, including the method to be used in marking;
- b. A complete description of the mobile magazine, including:
  - (1) The identification number;
  - (2) The specific type (2, 3, 4, or 5);
  - (3) All construction specifications pertaining to the magazine. (See Subpart J of Part 181 of Title 27, CFR, for the required information.)
- c. Directions to the magazine's physical location if the address is a post office box or a route number;
- d. The owner's address and telephone number;
- e. The possessor's address and telephone number (if different from that of the owner), including directions to the magazine's physical location if the address is a post office or a route number.

.03 Notice. ATF will, upon consideration of the application and/or inspection of the magazine, notify the

applicant advising whether or not the particular magazine has been approved. If approved, the notice of approval must be conspicuously displayed within the magazine near the markings. If disapproved, the applicant will be advised of the reason for disapproval.

#### SECTION 4. CHANGES AFTER APPROVAL.

.01 General. ATF approval covers a mobile explosives magazine only as long as the magazine meets construction requirements, and matches the description furnished ATF as set out under Sec. 3.02. The possessor of any approved mobile magazine must notify the regional regulatory administrator of any change or alteration in the construction of a previously approved mobile magazine.

.02 Change in Ownership. The possessor shall notify the regional regulatory administrator of the region in which the magazine currently is approved of any change in the ownership of the magazine. This notification shall include both prior and new permanent markings as required by Sec. 3.01.

.03 Change in Construction. The possessor shall notify the regional regulatory administrator of the region in which the magazine currently is approved of any proposed additions or changes to the magazine. This notification shall include both prior and new information as required by Sec. 3.02. No addition or change shall be made without written approval from ATF.

#### SECTION 5. INQUIRIES.

Inquiries concerning this circular should refer to its number and be addressed to one of the ATF regional offices, as seen below:

ADDRESSES

TOLL FREE TELEPHONE SERVICE

CENTRAL REGION

Regional Regulatory Admin.  
Bureau of Alcohol, Tobacco  
and Firearms  
550 Main Street  
Cincinnati, Ohio 45202

IN, KY, MI, OH, WV  
OH ONLY: 800-582-1880  
ALL OTHER: 800-543-1932

MID-ATLANTIC REGION

Regional Regulatory Admin.  
Bureau of Alcohol, Tobacco  
and Firearms  
2 Penn Center Plaza, Room 360  
Philadelphia, Pennsylvania 19102

DE, DC, MD, NJ, PA, VA  
PA ONLY: 800-462-0434  
ALL OTHER: 800-523-0677

MIDWEST REGION

Regional Regulatory Admin.  
Bureau of Alcohol, Tobacco  
and Firearms  
230 S. Dearborn Street  
15th Floor  
Chicago, Illinois 60604

IL, IA, KS, MN, MO, NE,  
ND, SD, WI  
IL ONLY: 800-572-3178  
ALL OTHER: 800-621-3211

NORTH-ATLANTIC REGION

Regional Regulatory Admin.  
Bureau of Alcohol, Tobacco  
and Firearms  
6 World Trade Center 6th Floor  
New York, New York 10048

CT, ME, MA, NH, NY,  
RI, VT  
NY ONLY: 800-442-8275  
ALL OTHER: 800-223-2162

SOUTHEAST REGION

Regional Regulatory Admin.  
Bureau of Alcohol, Tobacco  
and Firearms  
3835 Northeast Expressway  
(Mail: P.O. Box 2994)  
Atlanta, Georgia 30301

AL, FL, GA, MS, NC,  
SC, TN  
GA ONLY: 800-282-8878  
ALL OTHER: 800-241-3701

**SOUTHWEST REGION**

Regional Regulatory Admin.  
Bureau of Alcohol, Tobacco  
and Firearms  
1114 Commerce Street, Room 701  
Dallas, Texas 75242

AR, CO, LA, NM, OK,  
TX, WY  
TX ONLY: 800-442-7251  
ALL OTHER: 800-527-9380

**WESTERN REGION**

Regional Regulatory Admin.  
Bureau of Alcohol, Tobacco  
and Firearms  
525 Market Street  
34th Floor  
San Francisco, California 94105

AK, AZ, CA, HI, ID, MT,  
NV, OR, UT, WA  
CA ONLY: 800-792-9811  
ALL OTHER: 800-227-3072

*C. R. Quason*

Director

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